

REMARKS

In the Restriction Requirement mailed July 15, 2005, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-8, drawn to a method for separating a germ fraction from corn and the germ fraction itself, classified in class 241, subclass 8.
- II. Claim 9, drawn to a germ fraction from corn, classified in class 426, subclass 629.
- III. Claims 10-15, drawn to an apparatus, classified in class 99, subclass 537.

Applicant elects, with traverse, Group I, claims 1-8. Applicant respectfully cancels claims 9 and 10-15 (Groups 2 and 3) without prejudice or disclaimer, and reserves the right to reintroduce them in one or more Divisional applications at a later date.

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/605,812

Filing Date: October 29, 2003

Title: PROCESS FOR OBTAINING BIO-FUNCTIONAL FRACTIONS FROM BIOMASS

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Dkt: 1865.015US1

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6976 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12 day of August, 2005.

Kate Gordon
Name

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Signature